

NINETY-EIGHTH YEAR.

SUNDAY MORNING, DECEMBER 24, 1903.

PRICE FIVE CENTS.

# POLICE BOARD IS THE UNIQUE TRIBUNAL OF THE CITY; MEMBERS ACT AS JUDGES, JURORS AND COUNSEL FOR BOTH SIDES

**TRIALS** Since the Sessions of the Commissioners Became Public Have Revealed an Odd System That Appears Extremely Democratic to a Spectator but Is None the Less Awesome to Members of the Police Department—None of the Trappings of Justice Are Visible—Sometimes the Dignity of Proceedings Is Maintained With Difficulty—Some Recent Trials.



SOME TYPES OF WITNESSES

"Stand up, officer."

The command is given not unkindly, but in the dry, impersonal voice of one who is to be the accuser, judge, jury and dispenser of justice to the man on trial.

For the scene is laid in the most unique tribunal in the city, whose officers are clothed with all the might of laws which the statute enactments of the Commonwealth have authorized them to make, and from whose judgments there is no appeal.

To the casual observer, that man or woman whose destiny is now wholly in the hands of the Board of Police Commissioners, the trial of a man on charges before this tribunal may not seem a matter of such gravity or portent as it appears to that man who owes loyalty to the members of the honorable body as his superiors.

It will be evident after a very little observation, however, on the part of the casual spectator at a Police Board trial that there is no sort of doubt but that it is a body august in the eyes of the members of the department, and that its proceedings are as awesome and portentous as those of any of the duly constituted courts of justice in the realm.

And yet there are within the precincts of this unique tribunal none of the trappings of justice, none of the visible parts of the great engine of the law, none of the awesome formalities with which even the courts of this democratic land are opened.

The sittings and its adjournments are never prefaced by the howling voice of the bailiff and his Norman-French "Oyez, oyez," notifying all within earshot that the honorable Board of Police Commissioners of the city of St. Louis, State of Missouri, now opens or now adjourns.

For the board opens its sittings in a plain, almost squalid, room in the squalid precincts of the Four Courts, with an all-pervading odor of formaldehyde fumes filling the nostrils, saturating the clothes and tempting the gorge of all in the room.

The meeting of the St. Louis Police Board, when it sits on cases of men on trial before it, are devoid of all the pomp and circumstance of an ordinary court, save dignity and decorum.

It was not given until now to many of the present generation to see and hear and have knowledge of the proceedings of the board when it sits on the hearings of accused members of the Police Department. Until recent times the meetings were held behind closed doors, and its proceedings were as those in the worship of the Dea Dia of old.

But now that is all changed. Governor Fox has wrought the marvel and it is given to the public to know in what manner public business is done in the Police Department.

Hence the tribunal has lost all of its flavor of an inquisition, dread and secret, and its very simplicity and its very publicity are powerful aids to the corrective force which it is aimed to make courts. And so it is, perhaps, that when the Commissioners have seated themselves in their places at the long table in the foreground of the room, and President Stewart adjusts his eyeglasses and addressing himself to the blue-coated defendant sitting squarely in front of the assembled board just outside the circular railing.

"Stand up, officer."

It is to many the word of doom; to many others a welcomed opportunity to purge themselves of hateful charges.

Then, while the man under charges faces the judges and jury—all in the persons of his superiors, who are also his lawmakers and lawmakers—the President of the board

in a voice of the same dry and unimpassioned tenor arraigns him:

"Officer (so runs the document from which the President reads), you are charged with a violation of section — of the Police Manual, in this, that you did—"

And while the accused squirms uneasily or remains impassive under the recital of his crimes, according as he is guilty or innocent or possessed of a magnificent nerve, the accusing voice continues in its legal monotone, concluding "What say you, Officer, guilty or not guilty?"

Not many of them are guilty. Whether they plead so or not, the trial is on. If the defendant pleads guilty, with the privilege of making a statement, his statement is made under oath and the decision of his judges follows.

The witness testifies before the Board of Police Commissioners stands while he gives his testimony, while the accused resumes his seat to the left of the witness. Trials of the Police Board may seem at first blush not entirely fair to the accused, because he is so adjourned on the evidence presented without the privilege of having his attorney examine or cross-examine witnesses.

Rags and tatters, the tawdry show of the pawnshop, the sin-eared and flashy rags of derelicts and varlets, the passing splendors of gamblers and "good thieves" and all the motley raiment of men and women whose faces and whose deeds are lined and recorded in the galeries and the annals of the police, are represented in the crowd of witnesses that hounds without the corridor upon which the boardroom "portal of signs" opens.

But they are all sworn to tell the truth, evidence presented without the privilege

of the whole truth and nothing but the truth, even though the wonder is that the grave presiding officer of the board can witness their promise to do so without a smile.

And then the contest begins. The plaintiff is first at the bat and it would seem from the earnestness with which he tells the tale that there is nothing to do but to find the culprit guilty and assess his punishment. Witness by witness the damning total is added up, while the countenance of the accused pales or flushes, according as in his inmost soul he recognizes the testimony against him as true or the blackest perjury.

Then as each witness finishes his statement the lining of the judges and jury begins. President Stewart takes the witness, and there is none to say him nay in his questioning; no alert attorney to object, no ostentatious counsel to hastily argue with; no obtuse Judge to coo. He is absolute and may re-

morelessly search into the past and mind of the witness, now to develop some line of testimony which he thinks a witness in good faith means to give, again to scrutinize the motives of a witness in testifying against the accused, and always to bring out to the uttermost the justice and the truth of the accusation made against the man on trial, whether it be favorable to him or not.

SEARCHING QUESTIONS

And all the time he questions the witness, who in the maze of seemingly purposeless interrogations, fails to see the drift of it all, there sits at the left hand of the interrogating commissioner another lawyer, looking with impulsive face, now at the witness, again at the accused and occasionally jotting down notes on the pad before him.

"That is all," remarks President Stewart in tones that may mean anything or nothing to the witness.

Then "Any member of the board wish to ask this witness any questions?" he asks.

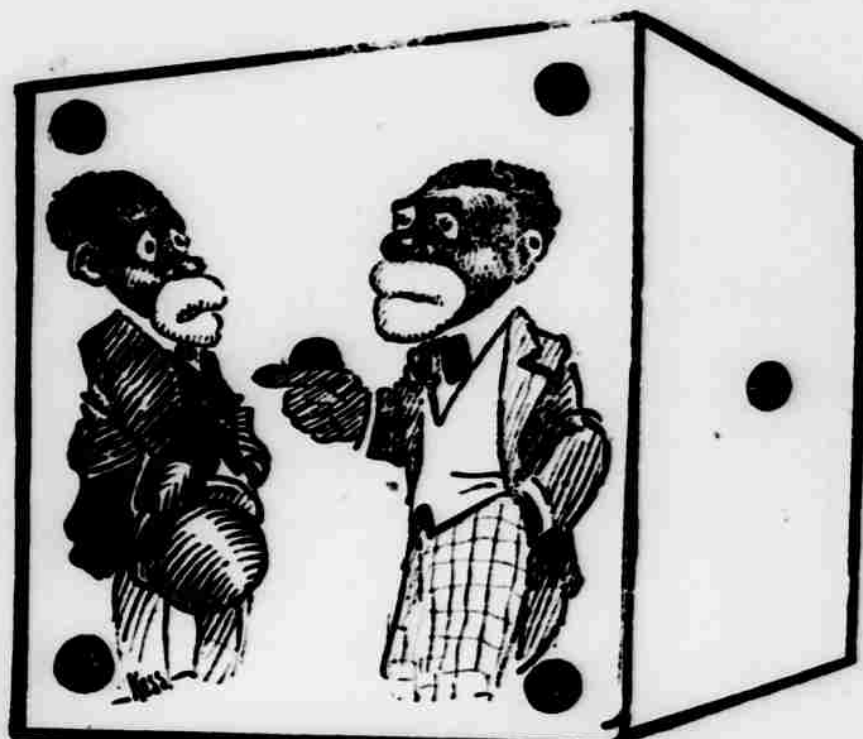
And the witness is subjected all over again to the searching questions, this time from a man whom he perhaps had faced many times before in the Circuit Attorney's office, and who knows the ways of criminals and the devious workings of their mind.

Then follow the questionings of other members of the board, and after that questions from the Chief of Detectives and of Police. Finally the accused is allowed to cross-examine the witness and frequently after this omnibus cross-examination the last state of that witness as he leaves the stand is worse than the first thereof.

As witness follows witness and the testimony piles up the tribunal frequently becomes a very riot of cross-examination, for the witness of a moment before is allowed to question the witness who followed him to the stand, and when the pot begins to boil and the testimony approaches a climax the examining witnesses, until the even voice of the presiding officer intervenes to restore order to



THE POLICE BOARD IN SESSION



"WASN'T YOU ARRESTED FOR CRAPSHOOTIN'?"

## PERSONNEL OF THE BOARD OF POLICE COMMISSIONERS

Alphonse C. Stewart, President of the board, member ex-officio of the Board of Health, general counsel of the St. Louis Union Trust Company, Sunday-school superintendent and an officer in the Grand Lodge of Missouri Masons.

Andrew C. Maroney, Vice President of the board, attorney.

Lola Wells, Mayor of the city of St. Louis, ex-officio Police Commissioner and director in various important corporations.

George F. Jones, president of wholesale oil firm.

John W. Fristoe, president of the T. J. Moss Tie Company and purchasing manager of the board.

what threatens to become chaos in this, retire, and the deliberations of the judges, now turned jury, are begun.

Finally when all of the complainant's witnesses have been examined and the seating capacity of the boardroom begins to be taxed to accommodate the cumulative presence of witnesses, the defendant is sworn and invited to "make any statement you wish to make."

This is followed by the testimony of his witnesses, who are subjected to cross-examination by whoever of the board members, chiefs or witnesses, choose to do so. Necessarily in very informality at times makes of a police board trial a thing amounting to amusing scenes. This is especially true when the opposing witnesses, invited by the court, proceed to carry out their amateur cross-examinations of each other. On such occasions, as also on occasions when very bald perjuries are perpetrated, it sometimes happens that the dignity of the tribunal is completely bowled over and the commissioners are obliged to join in the audible smile that spreads through the room.

AMUSING INCIDENTS

"Wasn't you arrested for crapshootin'?" asked one ducky witness of another with an amusing attempt at a legal attitude in an attempt to impeach the testimony which had done a like service for his own.

"No, suh; no, suh, not me. I never was," replied the witness with a most emphatic dignity.

"Why, you no-count, low-down nigger, you was, you knows you was. You knows you is lyin', you Gawge Washington Smith."

"Ask the witness questions, but don't call him names," Mr. Stewart interposes severely at this point.

"All right, Mr. Stewart," replies the interrogating witness. Then he asks the witness: "Now, ain't it a fact that I paid your fine when you was found in Judge Tracy's coat for crapshootin'?"

"Well, I done paid you back that money, didn't I? What you go taking dat-away for. You knows I paid you," answered the other with rising indignation.

At last the trial is over, the last witness has been heard and cross-examined, and the announcement is made by the presiding officer that there is no more testimony to be heard. The accused is told to

Leave Home to Shop: Weds.

Chester, Pa., Dec. 23.—With a heavy kiss to her mother, Miss Lyde Creighton Coulter left home. She said she was going to Philadelphia to do some Christmas shopping, and carried a suit case. This her mother thought was to bring back her purchases. The case, however, carried the girl secretly made wedding outfit. Forty-eight hours after she left home she was in Chicago, the wife of David H. Browne Jr., son of former United States Senator Browne. It was not until a long letter came from the girl reporting all, that Mrs. Coulter knew of her marriage.